

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

ROBERT BELL, JR.,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:11-CV-0062-SNLJ
)	
G. WOHLFERD, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on plaintiff’s motion to proceed in forma pauperis. Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.¹ Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff “is under imminent danger of serious physical injury.”

After reviewing the complaint, the Court finds no allegations that would show that plaintiff is in imminent danger of serious physical injury.² As a result,

¹Bell v. Rigel, No. 4:04-CV-706-HEA (E.D. Mo.); Bell v. Steele, No. 1:06-CV-144-LMB (E.D. Mo.); and Bell v. Steele, No. 1:07-CV-25-LMB (E.D. Mo.).

²In his complaint, plaintiff asserts that defendant correctional officers purposely ignored his doctor’s orders and in retaliation for filing lawsuits against them required him to stand in line with 300 other inmates at the canteen on April 15, 2011 instead of being “immediately served.” Plaintiff claims to suffer from arthritis in his ankles and complains that he cannot stand for long periods of time. Plaintiff’s assertions regarding this event do not rise to the level of imminent danger because he mentions that he was made to stand in line on only one occasion and that even on that occasion he was able to leave the line and come back to the canteen at a later time when he did not have to stand in line.

the Court will deny the motion and will dismiss this action without prejudice to refiling as a fully paid complaint.

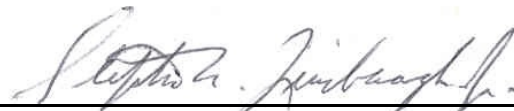
Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis is **DENIED**.

IT IS FURTHER ORDERED that this action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(g).

An Order of Dismissal shall accompany this Memorandum and Order.

Dated this 26th day of April, 2011.

A handwritten signature in dark ink, appearing to read "Stephen N. Limbaugh, Jr.", is written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE